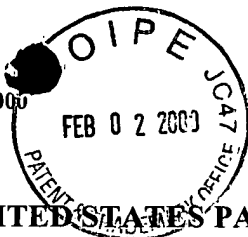


Date of Deposit: January 31, 2000



Attorney Docket No.: 18475-016

JP 1614  
#524  
2-10-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Daniel B. Carr, *et al.*

SERIAL NUMBER: 09/428,692

EXAMINER: Not Yet Assigned

FEB - 8 2000

FILING DATE: October 28, 1999

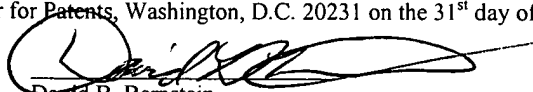
ART UNIT: 1614

TECH CENTER 1600/2900

FOR: NOVEL CHIMERIC ANALGESIC PEPTIDES

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box IDS, Assistant Commissioner for Patents, Washington, D.C. 20231 on the 31<sup>st</sup> day of January, 2000.

  
David B. Bernstein  
Reg. No. 32,112

Box IDS

Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Information Disclosure Statement
- ☒ Modified Form 1449/PTO and References Cited
- ☒ Return Postcard.

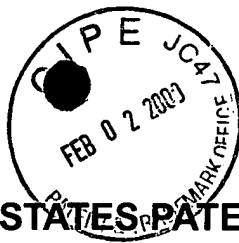
Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Reference No. 18475-016). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,



David B. Bernstein, Reg. No. 32,112  
Heidi A. Erlacher, Reg. No. P-45,409  
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Attorney Docket N 8475-016

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Daniel B. Carr, *et al.*

SERIAL NUMBER: 09/428,692

EXAMINER: Not Yet Assigned

FILING DATE: October 28, 1999

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FOR: NOVEL CHIMERIC ANALGESIC PEPTIDES

January 31, 2000  
Boston, Massachusetts

### Box IDS

Assistant Commissioner for Patents  
Washington, D.C. 20231

### INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97, and 1.98, Applicant hereby makes of record the attached documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application. The order of presentation of the references should not be construed as an indication of the importance of the references.

#### United States Patents:

<u>Patentee</u>	<u>Patent Number</u>	<u>Issue date</u>
Kream, Richard M.	5,891,842	April 6, 1999

#### Other Prior Art – Non Patent Literature Documents:

Carr, et al., Neural Blockade in Clinical Anesthesia and Management of Pain, Third Ed., pp. 915-983 (1998)

Hyden, et al., Eur.J. Pharmacol., 86: 95-98 and J. Pharmacol. Exp. Ther. 226: 398-404 (1983)

Kream, et al., Proc. Nat'l. Acad. Sci. USA 90, 3564-3568 (1993)

Lipkowski, et al., Neuropeptides: Peptide and Nonpeptide Analogs, Gutte, ed., Academic Press pp. 287-320 (1995)

Maszczyńska, et al., Analgesia, Dual Functional Interactions of Substance P and Opioids in Nociceptive Transmission: Review and Reconciliation, Vol. 3, pp. 259-268 (1998)

Schiller, et al., J. Med. Chem. 36: 3182-3187 (1993)

Silbert, et al., Agents and Actions, Vol. 33, pp.382-387, Analgesic Activity of a Novel Bivalent Opioid Peptide Compared to Morphine Via Different Routes of Administration (1991)

Silbert, et al., Prog. Clin. Biol. Res. 328: 485-488 (1990)

Ward, J. Med. Chem. 33: 1848-1851 (1990)

Zadina, et al., Life Sci., 55: 461-466 (1994)

This Information Disclosure Statement is being filed prior to the mailing date of the first Office Action.

- ☐ The fee of \$\_\_\_\_\_ as set forth in 37 C.F.R. §1.17(p) is enclosed.
- ☐ The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that:
- ☐ a. Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
- ☒ b. No item of Information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart for this application or, to the knowledge of the under signed after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the

information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 18475-016).

Respectfully submitted,



David B. Bernstein, Reg. No. 32,112  
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Dated: January 31, 2000